

1 I, the undersigned, declare under penalty of perjury that I am over the age of 18  
2 years and not a party to the above-entitled action and that my address is set out  
3 above; and that I served the attached pleading in the following manner:

4 I served the above on opposing counsel by e-filing to the Office of the Clerk and I mailed  
5 a copy to the Defendant.

6 I declare under penalty of perjury that the forgoing is true and correct.  
7

8 Dated: February 15, 2008

/s/ John Kirby  
John Kirby